

REMARKS

The Official Action mailed December 19, 2006, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to April 19, 2006. Accordingly, the Applicants respectfully submit that this response is being timely filed.

The Applicants note with appreciation the consideration of the Information Disclosure Statements filed on March 25, 2004; November 23, 2004; and March 16, 2005. However, the Applicants have not received acknowledgment of the *Request for Corrected PTO 1449 Form* filed on July 7, 2004 (received by OIPE on July 9, 2004). It is noted that the *Request* appears in the Image File Wrapper with a mail room date of July 9, 2004; however, it appears that the document has been mislabeled as a "Request for Corrected Filing Receipt." As noted in detail in the *Request*, the Applicants seek the addition of bibliographic information (page numbers and the like) for two Hayzelden articles cited on page 1 of 4 and on page 3 of 4 of the PTO-1449 Forms filed with the IDS of March 25, 2004. In order to effectuate the requested corrections, the Applicants respectfully request that the Examiner either (1) provide an initialed copy of the Form PTO-1449 (filed July 7, 2004) and cross through the corresponding citations on the previously considered Form PTO-1449 (filed March 25, 2004) or (2) annotate the citation of the corresponding citations on the previously considered Form PTO-1449 (filed March 25, 2004).

Claims 1-12 are pending in the present application, of which claims 1-3 and 8-10 are independent. Independent claims 2, 3 and 10 have been amended to include what is believed to be allowable subject matter. The Applicants note with appreciation the allowance of claims 1, 8 and 9 (page 3, Paper No. 12112005). For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

The Official Action rejects claims 2-7 and 10-12 as obvious based on the combination of U.S. Patent No. 5,322,807 to Chen et al. and U.S. Patent No. 5,275,851 to Fonash et al. The Applicants respectfully submit that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

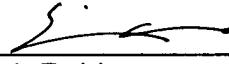
The present invention relates to a method of manufacturing a semiconductor device. The method comprises crystallizing a semiconductor film where the crystallized semiconductor film exhibits an X-ray diffraction pattern the orientation ratio at (111) plane of which is 0.67 or higher. The method further comprises oxidizing a semiconductor in an oxidizing atmosphere at a higher pressure than an atmospheric pressure.

The prior art, either alone or in combination, does not teach or suggest all the features of the independent claims, as amended. Independent claims 2, 3 and 10 have been amended to recite that a crystallized semiconductor film exhibits an X-ray diffraction pattern the orientation ratio at (111) plane of which is 0.67 or higher, which is also recited in allowed claims 1, 8 and 9. Chen and Fonash, either alone or in combination, do not teach or suggest the above-referenced features of the present invention.

Since Chen and Fonash do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,



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